

State of North Carolina
Department of Environment,
Health and Natural Resources
Regional Health Office

James B. Hunt, Jr., Governor
Jonathan B. Howes, Secretary
Leesha L. Fuller, Regional Manager



NOTICE OF VIOLATION OF N.C.A.C. TITLE 15A SUBCHAPTER 2L
CLASSIFICATIONS AND WATER QUALITY STANDARDS
APPLICABLE TO THE GROUNDWATERS OF NORTH CAROLINA

April 12, 1995

CERTIFIED MAIL Z-691 946 337
RETURN RECEIPT REQUESTED

Dan Shine
Sun Refining and Marketing Company
Eleven Penn Center
1835 Market Street
Philadelphia, PA 19103-2990

*Not the
correct
Mid-state company*

SUBJECT: Hall Property, Harold, 108 West Main Street, Jamestown, North Carolina,
Guilford County
Groundwater Incident Number 10002

Dear Mr. Shine:

Chapter 143, North Carolina General Statutes, authorizes and directs the Environmental Management Commission of the Department of Environment, Health, and Natural Resources to protect and preserve the water and air resources of the State. The Division of Environmental Management has the delegated authority to enforce adopted pollution control rules and regulations.

The purpose of N.C.A.C. Title 15A Subchapter 2L is to maintain and preserve the quality of the groundwaters, prevent and abate pollution and contamination of the waters of the State, protect public health, and permit management of the groundwaters for their best usage by the citizens of North Carolina.

On October 4, 1994, our office received Comprehensive Site Assessment... prepared by Geonetics Corporation, that documented groundwater contamination by 433 parts per billion

(ppb) Benzene, 208 ppb Ethylbenzene, 703 ppb Xylenes, 1017 ppb Methyl tert-butyl ether, 108 ppb Isopropyl ether, 182 ppb Naphthalene, 90 ppb Lead, and others.

These contaminant concentrations exceed the maximum allowable concentrations for such substances as specified in N.C.A.C. Title 15A 2L .0202. Therefore, they are in violation of the water quality standards for the groundwaters of the State. Please reference the following excerpt from Subchapter 2L which specifies corrective action as follows:

N.C.A.C. Title 15A 2L .0106 Corrective Action

- (a) *The goal of actions taken to restore groundwater quality shall be restoration to the level of the standards, or as close thereto as is economically and technologically feasible.*
- (b) *Any person conducting or controlling an activity which results in the discharge of a waste or hazardous substance or oil to the groundwaters of the state or in proximity thereto, shall take immediate action to terminate and control the discharge, mitigate any hazards resulting from exposure to the pollutants and notify the Department of the discharge.*
- (c) *Any person conducting or controlling an activity which results in an increase in the concentration of a substance in excess of the groundwater standard:*
 - (1) *as the result of activities, other than agricultural operations, not permitted by the state, shall assess the cause, significance and extent of the violation; submit a plan and schedule for eliminating the source of contamination and for restoration of groundwater quality; and implement an approved plan in accordance with a schedule established by the Director. In establishing a schedule the Director shall consider any reasonable schedule proposed by the person submitting the plan.*

It is our understanding that you and/or your firm are responsible for the aforementioned violations. Subsequently, you are considered as the party responsible for eliminating the source of contamination and restoring groundwater quality.

Hall Property, Harold
page 3

A comprehensive site assessment has been received. You are required to submit a corrective action plan (remedial action plan), *addressing the petroleum contamination*, to this office within sixty (60) days after receipt of this notice.

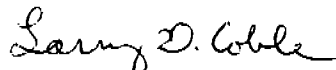
It is requested that within fifteen (15) days, you submit a written response describing your plans to achieve compliance. Should you dispute our assessment of responsibility, please include documentation of your position in your response.

Failure to submit the report required or failure to expeditiously eliminate the contaminant source and restore groundwater quality in the affected area may result in the recommendation of enforcement action including: (1) the issuance of a special order against you under the authority of G.S. 143-215.2, (2) a request to the Attorney General to institute an action for injunctive relief, (3) a civil penalty of up to \$10,000 per day in accordance with G.S. 143-215.6 and (4) referral of your site to the Federal Trust Fund Group. Please note that should the Federal Trust Fund take charge of your site, they will seek cost recovery, from responsible parties, for any and all expenses incurred.

Submittal of the above referenced report(s) does not relieve you of the responsibility for continued investigation and cleanup at this site.

Regarding any questions you may have about this matter, please do not hesitate to contact Sabra Elder or Sherri Knight at the letterhead address and/or telephone number.

Sincerely,



Larry D. Coble
Regional Supervisor

LDC/sme

Enclosure

cc: Incident Management Unit
State Trust Fund Group
WSRO Files
Guilford County Health Department



Receipt for Certified Mail

No Insurance Coverage Provided
Do not use for International Mail
(See Reverse)

Sent to <i>Sun Refining & Marketing</i>	
Street and No.	
P.O., State and ZIP Code	
Postage	\$
Certified Fee	
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Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, and Addressee's Address	
TOTAL Postage & Fees	\$
Postmark or Date	

691 946 337

I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address
2. ☐ Restricted Delivery
Consult postmaster for fee.

SENDER: Sun Refining & Marketing Co., 1835 Market Street, Philadelphia, PA 19103-2990
Complete items 1 and/or 2 for additional services. **5-5**
• Complete items 3, and 4a & b.
• Print your name and address on the reverse of this form so that we can return this card to you.
• Attach this form to the front of the mailpiece, or on the back if space does not permit.
• Write "Return Receipt Requested" on the mailpiece below the article number.
The Return Receipt will show to whom the article was delivered and the date delivered.

3. Article Addressed to:

Dan Shine
Sun Refining & Marketing Co.
Eleven Penn Center
1835 Market Street
Philadelphia, PA 19103-2990

4a. Article Number

Z-691 946 337

4b. Service Type

- ☐ Registered ☐ Insured
☒ Certified ☐ COD
☐ Express Mail ☐ Return Receipt for Merchandise

7. Date of Delivery

4-24-90

8. Addressee's Address (Only if requested and fee is paid)

5. Signature (Addressee)

6. Signature (Agent)

Dan Shine

PS Form 3811, December 1991 U.S. GPO: 1993-352-714 DOMESTIC RETURN RECEIPT

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